

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

SANDRA BUTLER,)	
)	
Plaintiff,)	
v.)	NO. CIV-11-1459-HE
)	
MICHAEL J. ASTRUE, Commissioner)	
of Social Security Administration,)	
)	
Defendant.)	

ORDER


Plaintiff Sandra Butler instituted this action seeking judicial review of the final decision of the Commissioner of the Social Security Administration (“Commissioner”) denying her application for insurance and supplemental security income benefits. Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred to Magistrate Judge Robert E. Bacharach, who recommends that the decision be reversed and the matter remanded for further proceedings. The magistrate judge found the Administrative Law Judge’s decision did not sufficiently state a basis for certain necessary findings.

The parties, having failed to object to the Report and Recommendation, waived their right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996); *see also* 28 U.S.C. § 636(b)(1)(C) (“A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations *to which objection is made.*” (emphasis added)). Accordingly, the court adopts Magistrate Judge Bacharach’s Report and Recommendation [Doc. #16], **REVERSES** the final decision of the Commissioner and

REMANDS the case for further proceedings consistent with the Report and Recommendation, a copy of which is attached to this order.

IT IS SO ORDERED.

Dated this 18th day of September, 2012.



JOE HEATON
UNITED STATES DISTRICT JUDGE